

***UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK***

JOSEFINO MORALES FORTIZ, *individually and
on behalf of others similarly situated,*

CASE NO. 1:21-cv-04630-PAE-KNF

Plaintiff,

v.

HARU HOLDING, CORP., and
STEVEN LAY,

Defendants.

PLEASE TAKE NOTICE THAT, pursuant to Federal Rule of Civil Procedure 12(c), and upon the annexed Declarations of Hisato Baba, Steven Lay and Sharon McClay and all exhibits attached thereto, memorandum of law, and the pleadings previously submitted in this action, Defendants HARU HOLDING CORP. and STEVEN LAY by and through the undersigned counsel, hereby move this Court, before the Honorable Paul A. Engelmayer, at the United States Courthouse for the Southern District of New York, United States Courthouse, 40 Foley Square, Room 2201, New York, New York 10007, for an entry of an order striking Plaintiff's class action allegations and compelling individual arbitration.

Dated: August 30, 2021
Miami, Florida

Respectfully submitted,

By: s/ Ingrid H. Ponce

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